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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,923	01/09/2002	Wayne A. Downer	BEA920000021US1	3080
23441	7590	11/05/2004	EXAMINER	
LAW OFFICES OF MICHAEL DRYJA 704 228TH AVENUE NE PMB 694 SAMMAMISH, WA 98074			BATAILLE, PIERRE MICHE	
			ART UNIT	PAPER NUMBER
			2186	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,923

Applicant(s)

DOWNER ET AL.

Examiner

Pierre-Michel Bataille

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in-condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6, 8 and 11-16 is/are rejected.
- 7) ☒ Claim(s) 7, 9, 10, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Official action is taken in response to applicant's communication filed September 1, 2004, responding to Office Action dated June 4, 2004. Applicant's amendment and/or arguments have been considered with the results that follow.
2. Claims 4-18 are now pending in the application as claims 1-3 have been canceled and claims 16-18 newly added.

Response to Arguments

3. Applicant's arguments with respect to claims 4-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-6, 8, and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luick (U.S. Patent No. 6,088,769) in view of Gulick (US 6,314,501).

With respect to claims 4, 8, 14, and 16, Luick discloses a multiprocessing system comprising first, second and other processing nodes, each including at

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least one processor (***a multiprocessor system having a plurality of nodes [nodes 101 including processor 103; Fig. 1]***); a communication pathway connecting said nodes and including a central hardware device (***nodes 101 coupled by an interconnecting communications pathway***); a shared, distributed memory, a portion of said shared memory being coupled to said processors and to said communication pathway, wherein said central hardware device communicates requests from said first node to said second node but not to said other nodes [***(transfer of data from one node to another (column 2, lines 46-54) and directing said data to the requesting node without going through the said interconnecting communications pathway node (column 2, lines 58-59)***]. Luick fails to specifically defining one or more partition to which one or more nodes are a member and directing data only to nodes defined as within the same partition. However, Gulick teaches computer system comprises a plurality of processing modules wherein groups of one or more processing modules being configured as separate partitions within the computer system, a main memory within which each partition is assigned an exclusive memory window to which only the processing modules of that partition have access and a register that holds exclusive memory window assigned to the partition of which the processing module is a part [abstract, Fig. 19, Col. 2, Lines 52 to Col. 3, Line 5]. Therefore of ordinary skill in the art would have associated each transaction to direct data only to processing group defined as within the same partition, as teach by Gulick in the context of the multiprocessing system of Luick. The combination would have would have permitted interpartition communication

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signaling multiple processing modules be in communication with one another through shared memory [Col. 2, Lines 37-43].

With respect to claims 5-6, 12-13, and 15, Luick discloses each node including memory [local caches 115, 117, and local memory 105 (see Fig. 1)] directly accessible locally (steps 301 through 309; Fig. 3)], and memory accessible remotely by others of the nodes [steps 313 through 321; Fig. 3] and central hardware device storing information determining which nodes are storing copies of one or more data elements in each said local memory *[global coherence table indicating copy of data and where it is reside (column 2, lines 50-54)]*. Gulick additionally teaches allocating one or more pages of the shared memory window to store a Client Directory Table being a registry of the clients on each partition that are using the shared memory window, each client registered with the directory table as a member of a Client directory Group [Fig. 19; Col. 2, Lines 56-59].

Allowable Subject Matter

6. Claims 7, 9-10, and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

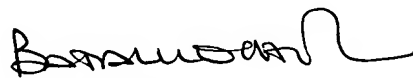
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre-Michel Bataille whose telephone number is (571) 272-4178. The examiner can normally be reached on Mon-Fri (9:30A to 6:00P).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew M. Kim can be reached on (703) 305-3821. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre-Michel Bataille
Primary Examiner
Art Unit 2186

October 28, 2004

PIERRE BATAILLE
PRIMARY EXAMINER